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## Lahontan Regional Water Quality Control Board

May 8, 2015

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**Amended Investigative Order No. R6V-2014-0063A1, CG Roxane LLC, Crystal Geyser Roxane Olancha Water Bottling Facility, 1210 South Highway 395, Olancha, Inyo County**

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff has reviewed CG Roxane LLC's Phase 1 Site Groundwater Investigation Report (Phase 1 Report) for the above-referenced site. The February 16, 2015 report, prepared by Geosyntec Consultants Inc., was submitted pursuant to Water Board Investigative Order No. R6V-2014-0063 (Investigative Order). The Phase 1 Report presents the results of groundwater investigation activities and laboratory analyses of samples from eleven (11) hydropunch sampling locations in the vicinity of the site's three wastewater ponds (Arsenic Pond, East Pond, and Fire Pond), as well as analyses of wastewater samples from the ponds and other wastewater sources at the site. The Phase 1 Report provides data documenting that the unauthorized waste discharges from CG Roxane LLC's Olancha Water Bottling Facility (Facility) have adversely impacted shallow groundwater quality beneath and likely adjacent to the Facility. Additional investigation is necessary to determine the full lateral and vertical extent of groundwater pollution and degradation as well as investigate potential adverse impacts to site soils, surface waters and deeper groundwater resources at and near the Facility.

The Water Board is amending the Investigative Order pursuant to California Water Code section 13267. The amendments herein are necessary to (1) extend the due dates for the Phase 2 Site Investigation Report and subsequent quarterly monitoring reports, and (2) require additional investigation and analytical requirements necessary to determine the extent of impacts to soil and groundwater resulting from the Facility's waste discharges.

Nothing in this Order relieves CG Roxane LLC of its responsibility to comply with previous Orders or requirements, or to comply with laws and regulations that are applicable to activities necessary to produce the above-referenced reports.

## **Justification**

Since 1990, CG Roxane LLC has been discharging wastewater to onsite waste disposal facilities without Water Board permitting. Staff's observations, sampling and analytical results from our March 1, 2013 Facility Inspection, and the results of the Phase 1 Site Groundwater Investigation, document that the Facility's unregulated wastewater discharges have resulted in groundwater pollution and degradation at the Facility. The additional investigation and technical reports required herein are necessary to assess the extent of adverse impacts to site soils and their potential to further degrade water quality, and to further assess the extent of adverse impacts to receiving water (surface waters, groundwater) quality and beneficial uses due to the unauthorized waste discharge practices at the Facility.

## **Amended Investigative Order for Technical Reports and Activities**

Pursuant to Water Code section 13267, CG Roxane LLC is hereby ordered to submit the following technical reports in continuation of the soil and groundwater investigation required in Investigative Order No. R6V-2014-0063 for the Facility:

- A. Submit a Phase 2 Investigation Work Plan Addendum by **May 29, 2015**, addressing the additional monitoring wells, soil/hydropunch boring, soil and groundwater sampling, and laboratory analyses per Comments 1 through 6 in Water Board's April 30, 2015 *Comments Regarding Phase 1 Site Groundwater Investigation Report and Proposed Phase 2 Investigation* (Attachment A), attached hereto and incorporated by this reference.
- B. Submit all information previously requested in staff's February 5, 2015 letter (Attachment B), attached hereto and incorporated by this reference, by **May 29 2015**.
- C. The Phase 2 Site Investigation Report shall include all elements specified in Investigative Order No. R6V-2014-0063. Isoconcentration maps shall clearly depict concentrations of constituents of concern (COCs) exceeding respective Maximum Contaminant Levels (MCLs) for each constituent (e.g., bold/highlighted MCL-concentration contour line). Additionally, the report shall include the following:
  1. The location of the Spring Line Fault depicted on maps, where applicable;
  2. A narrative discussion of the effects of the Spring Line Fault upon groundwater elevations, flow patterns, and water quality, if any;
  3. Stiff and/or Piper diagrams depicting relative cation and anion concentrations and relationships in the groundwater samples.

These Phase 2 Site Investigation Report requirements are in addition to or clarification of those required elements already specified by Investigative Order No. R6V-2014-0063, Requirement C.

D. Copies of all CG Roxane LLC's documents, including full and complete copies of the Facility Waste Generation and Discharge Systems Report and the Phase 1 Site Groundwater Investigation Report, shall be submitted to each of the following parties for their review and files:

Dave Stuck, California Department of Toxic Substances Control  
Marvin Moskowitz, Inyo County Environmental Health Department  
Heidi Calvert, California Department of Fish and Wildlife.

E. The table below identifies the remaining compliance dates for Investigative Order No. R6V-2014-0063A1. Revised due dates for the Phase 2 Site Investigation Report and other documents required by this Amended Investigative Order are summarized below. Water Board staff anticipates expediting review of the work plan addendum to maintain the schedule below.

**Table 1. Order No. R6V-2014-0063A Requirements and Amended Due Dates:**

<b>Required Technical Report</b>	<b>Original Date</b>	<b>Amended Date</b>
Phase 2 Work Plan Addendum	N/A	May 29, 2015
Additional Information per staff's 2/5/15 letter	N/A	May 29, 2015
Phase 2 Site Investigation Report	March 20, 2015	August 15, 2015
2 <sup>nd</sup> Quarter 2015 Groundwater Monitoring Report	July 15, 2015	No longer required
3 <sup>rd</sup> Quarter 2015 Groundwater Monitoring Report	October 15, 2015	No Change
4 <sup>th</sup> Quarter 2015 Groundwater Monitoring Report	January 15, 2016	No Change
1 <sup>st</sup> Quarter 2016 Groundwater Monitoring Report	April 15, 2016	No Change
2 <sup>nd</sup> Quarter 2016 Groundwater Monitoring Report	N/A	July 15, 2016

This Amended Order is being issued pursuant to Water Code section 13267. Enclosed with this Order is a Fact Sheet (Attachment C), attached hereto and incorporated by this reference, containing information regarding the submission of technical reports. The burden to CG Roxane LLC in compiling these required technical reports, including costs, is outweighed by the Water Board's need for the information to determine the extent of adverse impacts to site soils, water quality, and beneficial uses as a result of CG Roxane's unregulated waste discharges at its Olancha facility.

Any person aggrieved by this action of the Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 et seq. The State Water Board must receive the petition by 5:00 p.m., 30 days after the

date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

or will be provided upon request.

Please contact Water Board staff Lisa Scorallo at (530) 542-5452

[Lisa.Scorallo@waterboard.ca.gov](mailto:Lisa.Scorallo@waterboard.ca.gov) or Scott C. Ferguson at (530) 542-5432

[Scott.Ferguson@waterboards.ca.gov](mailto:Scott.Ferguson@waterboards.ca.gov), if you have any questions regarding this amended Order.



PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

Attachments:

Attachment A - Water Board Comments on Phase 1 Report dated April 30, 2015

Attachment B - Water Board Letter dated February 5, 2015

Attachment C - Water Code section 13267 Fact Sheet

cc (email only, with attachments):

Pierre Boulier/CG Roxane LLC

Sebastien Guyard/CG Roxane LLC

Mark Grivetti/Geosyntec Consultants

Ryan Smith/Geosyntec Consultants

Christopher Sanders

Lauri Kemper, Assistant Executive Officer/Lahontan Water Board

Kim Niemeyer/State Water Board, Office of Chief Counsel

Paul Ciccarelli/State Water Board, Office of Enforcement

Heidi Calvert/California Dept. of Fish and Wildlife

Malcolm Clark/Sierra Club

Mark Bagley/Owens Valley Committee

Tom Platz/Triad, Holmes Associates

Cathreen Richards/Inyo County Planning Department

Marvin Moskowitz/Inyo County Environmental Health Services

Joshua Hart/Inyo County Planning Dept.

Bob Harrington/Inyo County Water Dept.

Dustin Hardwick/Cartago Mutual Water Company

Aaron Allen/U.S. Army Corps of Engineers

Dave Stuck/California Dept. of Toxic Substances Control

Glenn Forman/California Dept. of Toxic Substances Control